

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Debtors.

LEHMAN BROTHERS SPECIAL FINANCING
INC.,

Plaintiff,

– against –

BANK OF AMERICA NATIONAL
ASSOCIATION, *et al.*,

Defendants.

Chapter 11

Case No. 08-13555 (SCC)

Adversary Proceeding
No. 10-03547 (SCC)

**NOTICE OF INTENT OF LOWER MURRAY WATER
PURSUANT TO SECOND SCHEDULING ORDER**

Lower Murray Water (“LMW”) submits the following notice of intent in accordance with paragraph 22 of the Second Scheduling Order dated August 28, 2015 (the “Second Scheduling Order”) [Docket No. 1138]:

To the extent that claims asserted in the Fourth Amended Complaint against LMW remain pending following the Court’s Memorandum Decision on Omnibus Motion of the Noteholder Defendants to Dismiss the Fourth Amended Complaint dated June 28, 2016 [Docket

No. 1360], LMW hereby gives notice of its intent to move to dismiss the Fourth Amended Complaint for lack of personal jurisdiction.¹

Dated: New York, New York
July 18, 2016

PHILLIPS NIZER LLP

By: /s/ Jared R. Clark
Mark M. Elliott
Jared R. Clark
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New York, New York 10103
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¹ LMW files this notice under the compunction of the Second Scheduling Order and reserves the right to assert additional defenses, including without limitation, defenses based on applicable statutes of limitation.